



MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF MONDAY, DECEMBER 17, 2007

1. CALL TO ORDER:

Mayor Wilson called the Regular Meeting of the Board of Aldermen to order at 7:30 p.m.

Following the Pledge of Allegiance, President of the Board Marilyn Ottenad gave the invocation.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Steinbrenner, Alderman Tullock, Alderman Ottenad, Alderman Diehl, Alderman Ryan, Mayor Wilson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES:

a. Minutes of the December 3, 2007 Public Hearing regarding the Fiscal Year 2008 Budget

Alderman Clement made the motion to approve the Minutes of the December 3, 2007 Public Hearing regarding the Fiscal Year 2008 budget. The motion was seconded by Alderman Ottenad and carried unanimously.

b. Minutes of the December 3, 2007 Regular Board of Aldermen meeting

Alderman Diehl made the motion to approve the Minutes of the December 3, 2007 Regular Board of Aldermen meeting. The motion was seconded by Alderman Ottenad and carried unanimously.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Wilson said that item 12 (a), a closed session, should be removed from the agenda because it will not be needed at this time.

Alderman Clement said that at their seats this evening, they found a memo from the City Clerk indicating that there are three new Bills that need to be read tonight. He suggested that the Bills be located after item 10 (d), so there would be a creation of items 10 (e), 10 (f), and 10 (g).

Mayor Wilson assigned the new Bills, with the approval of the individuals to introduce them.

Alderman Ottenad made the motion to approve the Order of Items on the Agenda as amended. The motion was seconded by Alderman Clement and carried unanimously.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Acknowledgement of Boy Scouts in audience

Mayor Wilson announced that there are some Boy Scouts from Troop 751, sponsored by St. Joseph's Catholic Church, in attendance, and he recognized the following Boy Scouts who are working on their "Citizenship in the Community" merit badges:

James Lewandowski, 720 White Willow Lane; Sean Krull, 719 White Willow Lane; Matt Hruz, 715 Carman Oaks Court; Nathan Ryan, 1057 Briarhurst Drive; Nathan Keller, 732 Rockridge Drive; Ben Hardy, 478 Brightspur; Joe Hardy, 478 Brightspur; Tyler Ryan, 1067 Briarhurst Drive; Ryan Burke, 750 Oakhall Lane; Christopher Davis, 42 Rondo Drive; Sam Hartman, 6 Wildway Circle; Robert Hayes, 331 Brightfield Trail, and Michael Craven, 232 Spring Oaks Drive.

b. AT&T Video Status Update

Arthur G. Maggard of AT&T gave an update on the video service progress. He said that in March, the General Assembly passed Bill 284 and the Bill went into effect in August, 2007. He said their application for a statewide video franchise was approved by the Public Service Commission, and they now intend to provide video service in the community.

Mr. Maggard identified about 20 addresses involved where there are existing telephone cabinets and where they would be building additional larger video facilities; and he discussed the new light tan interface boxes. Mr. Maggard said they like to get the video facilities as close as possible to the existing telephone cabinets, approximately three to six feet away from the cabinets. He said the cabinets are sometimes on the backs of properties, in private easements, sometimes in utility easements, in public areas, and sometimes in the public right-of-way. Mr. Maggard said they try to keep the cabinets as unobtrusive as possible, and if a screen is needed or required, AT&T will landscape around the cabinets within a few weeks after installation. Mr. Maggard said that if someone is standing right by the cabinet, they may hear a cooling fan running.

Mr. Maggard discussed the fiber optic cable, copper cable installation, video signals, conditioning pairs, and distribution areas. He discussed the cable quality. Mr. Maggard said they would notify residents if there was any construction necessary on their property, but he does not anticipate any large equipment being used on the properties. Mr. Maggard added that there should be very little, if any, disturbance of driveways or road surfaces. He said that there are several addresses where the facilities are already in service, and they are now actively marketing the service in areas where the equipment is ready to go.

Mr. Maggard said he doubts that they will get 100% coverage, and he explained the transmission limits for the video service cabinets. He said there would be additional facilities in 2008 and 2009, and AT&T will be working with the City of Manchester or the Missouri Department of Transportation, as appropriate, to assure proper placement of the facilities.

c. Comments from the Public

Ms. Pauline Bair, 305 Morewood Drive, asked about the status of the lawsuits.

City Attorney Gunn said there was no change since the last meeting.

Ms. Bair asked if any bid requests have been published.

City Administrator Ed Blattner stated that the City cannot go out for bid until all permits have been received; he said the hope is that the City can go out for bid in mid January. He said he was notified that the permit from the Fire District is ready, but the City has not yet received anything from St. Louis County or the Metropolitan Sewer District.

Ms. Bair said that she believes the Board should reconsider having a basement under the Police Building.

Mayor Wilson said that was already considered and voted down by the Board.

Mr. Ed Spatz, 504 Wren, discussed the election signage Bill read previously. He expressed concern that the Bill had been revised between the first and second readings, and he believes that there should be two readings of the exact same Bill.

Mr. Robert Lopez, 1302 Mautenne, thanked the entire Board of Aldermen for approving the curbs along LaBonne Parkway in the 2008 budget. He asked if it would be possible to have handicap access or ramps or a drive opening for the people cutting grass in the median.

City Administrator Ed Blattner responded that it might be possible to flatten the curbs out at certain locations, but it would probably not be wheelchair ramps, because there is no sidewalk there.

Alderman Clement said the Public Works staff did a terrific job during the recent significant snow storm. He said that as he went to church on Sunday morning, the City's roads were better than County roads and State roads, and he heard that over and over again from others. He said he knows the Public Works Department staff was out over the night, and the roads showed it.

Alderman Clement recognized and thanked Sergeant Sheree Waterhouse and Detective Sergeant Dan Rehm for their efforts involved with Shop-with-a-Cop. He said that both individuals worked on this project all year raising funds and then spent two weekends with Police Officers and others who assisted in taking 88 youths to Wal-Mart for a shopping experience that included \$100 to spend on themselves and their family. He said these two individuals definitely need to be thanked publicly.

Mayor Wilson said that he, too, was very proud of the work the City's Public Works Department did on the streets after the snowstorm. He mentioned that the section of St. Louis County Road in front of his house has still not been plowed by the County.

Alderman Tullock recognized the Police Department whereby the past Monday he witnessed an attempted theft from one of the businesses, and the Police Department responded very quickly; the law was enforced expeditiously.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Wilson discussed meeting with a citizen on Tuesday, December 5; recorded a Holiday Greeting on Thursday, December 7; met with a representative from Eagle Bank regarding "Eggs and Issues" meetings pertaining to scheduling and support; met with Karen Yeomans of MoDOT regarding signalization issues, and attended the Senior Citizen's Luncheon. He thanked the First Evangelical Free Church for their efforts in assisting the City with the luncheon. He discussed the upcoming *West Newsmagazine* Open House on December 20, the Lafayette Mayor's meeting on December 20, and the Employee Awards Luncheon on December 21.

Mayor Wilson asked the members of the Board of Aldermen to advise the City Clerk of their availability for Work Sessions in January.

Alderman Ottenad thanked the Parks Department and the Public Works Department for their efforts involved with the Senior Citizens' Luncheon.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of November 30 – December 13, 2007)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement said there were three cases on the December 10 agenda. He said there was one text amendment discussed regarding stormwater runoff quality, and that issue is under an edit phase right now; this amendment would be reviewed at the first meeting in January. He said that steps will need to be taken by the March 8, 2008 deadline.

Alderman Clement said a site plan was approved for the Police Facility, and the street vacation plat on Hill Avenue was approved.

Mayor Wilson complimented City Administrator Ed Blattner on his efforts regarding the stormwater issues. He said that he believes Mr. Blattner set an example in setting a template for other cities.

Alderman Clement also complimented Mr. Blattner on his work. He said that the Metropolitan Sewer District approved Mr. Blattner's draft which had been submitted for their review. He also said that the Planning and Zoning Commission will need to review the stormwater issue at their first meeting in January to be able to get their recommendation to the Board of Aldermen for action by the deadline in early March.

b. Historic Review Commission

Alderman Steinbrenner said that there were no meetings during December, but they will have meetings again in January.

Alderman Steinbrenner also discussed meeting with representatives of Sorrento Springs School and discussing with students the local governmental process.

9. ACTION ON OLD BILLS

a. BILL # 07-1931 – AN ORDINANCE APPROVING THE CITY'S FISCAL YEAR 2008 BUDGET

Alderman Diehl read Bill # 07-1931 for the second time, entitled: "AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR THE CITY OF MANCHESTER FOR THE YEAR JANUARY 1, 2008 THROUGH DECEMBER 31, 2008, AND APPROPRIATING SUCH SUMS AS SET FORTH HEREIN FOR ALL DEPARTMENTS AND ACCOUNTS THEREIN SPECIFIED", by title only.

Alderman Diehl made the motion that Bill # 07-1931 become Ordinance # 07-1838. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Ryan – aye
Alderman Diehl – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – aye
Alderman Tullock – aye

Mayor Wilson announced that the motion passed 6 – 0.

10. INTRODUCTION OF NEW BILLS

a. BILL AUTHORIZING ADDITIONAL EXPENDITURE FOR SITE INSPECTION SERVICES FOR THE NEW POLICE FACILITY SITE

Alderman Clement introduced Bill # 07-1933, entitled: "AN ORDINANCE AMENDING ORDINANCE NO. 07-1774, TO ALLOW FOR ADDITIONAL SITE INSPECTION SERVICES TO BE PROVIDED AT A COST NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) ON A TIME-AND-MATERIAL BASIS FOR THE CITY OF MANCHESTER POLICE FACILITY", by title only.

Alderman Clement asked about the additional services required.

City Administrator Ed Blattner answered that the project architect has requirements in the project specifications that puts on the owner certain responsibilities. He said one of the responsibilities is concrete testing of all poured concrete, and another is to check all footing subgrades. He said that Pace Properties has brought the site to subgrade, but the City's contractor will be digging up footings and foundations, so inspections will need to be done on that. He said that he has already issued a purchase order to SoilTech to do inspections of the perimeter site, inspections that involve a totally separate permit. He said that in the future, he would be providing another proposal for another engineering firm to do all structural steel, weld and bolt connection inspections. Mr. Blattner said these are all part of the bid documents which state that the owner is responsible for all third-party testing. He said the Bill on tonight's agenda is about site work for the City.

Alderman Ottenad asked why the original Bill was underfunded.

Mr. Blattner explained the other Bill was for placing of the soil on the City's site, and as it worked out, the contractor spent all the money checking the compaction as the site was filled; there was about 14 feet of fill. He said the first inspection services were more involved than what were originally anticipated by GeoTest.

Alderman Ottenad and City Administrator Ed Blattner discussed GeoTest's original significantly lower bid of \$10,000 as compared to the other bids which were in the area of \$27,000. Alderman Ottenad said that it seems that the \$27,000 was more realistic. Mr. Blattner said he does not anticipate there will be additional expenses for these services in the future; he thinks this additional expenditure should be adequate to cover what is necessary. Mr. Blattner said that GeoTest has done a good job; he is happy with their work.

Alderman Ryan asked the amount of expenditures on the project to date, and Mr. Blattner said he would estimate that the expenses so far are in the area of \$800,000 to \$900,000.

No further action at this time.

b. BILL AUTHORIZING PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS PROGRAM

Alderman Diehl introduced Bill # 07-1934, entitled: "AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH ST. LOUIS COUNTY, MISSOURI, SUPPLEMENTING THE CITY'S PREVIOUS MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT", by title only.

No further action at this time.

c. BILL AGREEING TO PARTICIPATION IN U. S. CELLULAR MUNICIPAL TAX SETTLEMENT

Alderman Tullock introduced Bill # 07-1935, entitled: "AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH UNITED STATES CELLULAR CORPORATION AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO ST. LOUIS COUNTY MUNICIPAL LEAGUE", by title only.

Alderman Clement asked if this is another cellular settlement agreement.

City Attorney Gunn said this is the second one, and the third one with AT&T is upcoming shortly.

No further action at this time.

d. RESOLUTION APPROVING APPLICATION FOR COMMUNITY WIDE TRAIL SYSTEM GRANT

Alderman Ryan said that there was a change to the Resolution as it was submitted originally in the agenda. He said the change was that the trail system was to go from Howard George Drive to Paul A. Schroeder Park instead of from Howard George Drive to Old Meramec Station Road.

Alderman Ryan made the motion for passage of Resolution # 07-0208, entitled: "A RESOLUTION APPROVING THE SUBMISSION OF A MUNICIPAL PARKS GRANT APPLICATION, FOR EIGHTY PERCENT (80%) FUNDING TOWARD A FIVE THOUSAND DOLLAR (\$5,000.00) PROJECT, TO THE ST. LOUIS COUNTY PARKS COMMISSION FOR THE CONSTRUCTION OF A TRAIL FROM HOWARD GEORGE DRIVE TO PAUL A. SCHROEDER PARK", by title only.

Alderman Ryan explained that the grant would be up to \$4,000.00 and the City would pay \$1,000.00.

Alderman Clement seconded the motion.

Alderman Clement asked about the grant. He asked if this Resolution involves the concept stage or the actual creation of the trail.

Director of Parks and Recreation Judy De Rose answered that the City will apply in January, and the City would go through a planning process, publish a request for bid, hire a company, have some public forums, and she advised that this is still the concept phase of the trail. She said this would give a more definitive idea of what is being considered. Ms. De Rose said that until the architectural engineering drawings are done, it is unknown exactly where the trail should go.

There being a motion and a second, the motion carried unanimously.

e. **BILL APPROVING BOUNDARY ADJUSTMENT IN THE MANCHESTER HIGHLANDS AREA**

Alderman Clement introduced Bill # 07-1936, entitled: "AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT BETWEEN PARCELS OF PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND KNOWN AS LOTS 3 AND 4 OF "MANCHESTER HIGHLANDS PLAT ONE", LOT B-1 OF HOMEQUARTERS SUBDIVISION, AND ALL OF LOTS 81 AND 82 AND PART OF LOTS 31 AND 32 OF MANCHESTER HEIGHTS IN THE CITY OF MANCHESTER, MISSOURI", by title only.

Alderman Clement asked for clarification of what the Board of Aldermen will be approving.

Director of Planning, Zoning, and Economic Development Franz Krintz said this is an adjustment of the lots in the area where Manchester Highlands Boulevard will intersect with Manchester Road. He said that Plat One concerned itself with other areas, and this is the boundary adjustment of the lots in that area. He said it really sets up the motion and procedure for conferring the property between the entities involved, mainly Pace Properties and Home Depot, the owners of the Home Expo property.

f. **BILL APPROVING SUBDIVISION PLAT FOR MANCHESTER HIGHLANDS PLAT TWO**

Alderman Ottenad introduced Bill # 07-1937, entitled: "AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR MANCHESTER HIGHLANDS PLAT TWO, A PARCEL OF PROPERTY LOCATED IN THE CITY OF MANCHESTER, MISSOURI, AND DESCRIBED IN EXHIBIT 'A' ATTACHED HERETO", by title only.

No further action at this time.

There was discussion regarding the proper order for these Bills to be approved, and it was decided that of the three Bills, this one should be the third one to be enacted.

g. **BILL VACATING PART OF HILL AVENUE**

Alderman Steinbrenner introduced Bill # 07-1938, entitled: "AN ORDINANCE VACATING A TRACT OF LAND BEING PART OF HILL AVENUE LOCATED IN SECTION

31, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN IN THE CITY OF MANCHESTER, ST. LOUIS COUNTY, MISSOURI”, by title only.

No further action at this time.

11. MISCELLANEOUS

a. Discussion regarding trash service

Mr. Lenny Neeley, District Manager of IESI, stated that in the month of October, they picked up fifteen loads of leaves, and in November there were 54 of the 25-yard trucks full of leaves, which is a lot of material.

Alderman Tullock said he had three phone calls during the past week, two of which were very negative about the trash service, and one caller indicated that he had never had a problem with the service.

Mr. Neeley said that last week for each 5,118 collections, they had one phone call. He said in November, there was one call in every 2,046 collections, and this month as a whole, there has been one call in every 2,751 collections.

Alderman Ryan said he had three calls this month whereby the callers were pleased with the service.

Alderman Ottenad said that in the past two weeks, she did not receive any calls. She said she does not know how much Mike Miller is paid, but he obviously is making the difference, and she wants to be assured that Mike Miller is going to be on the routes in Manchester every day, because the difference has to be because of his involvement. She said that there was a big improvement, because there were only ten phone calls to City Hall this week.

Mr. Neeley said he is glad to hear that things are going better with Mike Miller on the routes. He said that Mike was given a hefty raise a couple months ago, and he is working on a bonus now.

Alderman Diehl discussed Jim Labit's trash collection problems. He said that all the other trash on the street was picked up.

Mr. Neeley discussed Mike Miller's assistance with trash pickup.

Alderman Steinbrenner discussed a call at 815 Bublin Lane whereby the trash was not picked up. She said that an older lady had called her in the morning, and by 9:15 p.m., the trash still had not been picked up. Alderman Steinbrenner said that trash pickup is extremely important.

Mayor Wilson said he, also, received an e-mail this week that was positive. He said he would be interested in receiving consistent feedback of the number of calls to pickup ratio. He asked about comparing the ratio of other cities to Manchester's number of calls.

Mayor Wilson said the next Board of Aldermen meeting will be in three weeks.

b. Comments from the Public

There were no comments from the public.

12. EXECUTIVE SESSIONS:

a. Alderman Steinbrenner made a motion to go into Closed Session pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

The motion was seconded by Alderman Clement

A poll of the Board showed:

Alderman Diehl – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – aye
Alderman Tullock – aye
Alderman Ryan – aye

Mayor Wilson announced that the motion passed 6 – 0.

b. Alderman Clement made the motion to go into Closed Session pursuant to Section 610.021 (13) of the Revised Statutes of the State of Missouri pertaining to individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.

The motion was seconded by Alderman Tullock.

A poll of the Board showed:

Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – aye
Alderman Tullock – aye
Alderman Ryan – aye
Alderman Diehl – aye

Mayor Wilson announced the motion passed 6 – 0.

13. ADJOURNMENT

At 10:04 p.m., there being no further business, Alderman Clement made the motion to adjourn. The motion was seconded by Alderman Tullock and carried unanimously.

Respectfully submitted,

Ruth E. Baker, City Clerk